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PATENT
Serial No. 10/807,076 (91420.124103)
Refund Request

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

Applicant:	Michael Wagner)	Examiner:
)	
Serial No.:	10/807,076)	Art Unit: 3611
)	
Filed:	March 23, 2004)	
)	
For:	GAME CART/TREE STAND KIT)	
)	

REQUEST FOR REFUND UNDER 37 C.F.R. § 1.26

Mail Stop 16
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicant hereby requests that a refund in the amount of \$120.00 be credited to Deposit Account No. 10-0223 in connection with the above-identified patent application.

On August 5, 2004, Applicant filed a Response to Notice to File Missing Parts of Application via regular U.S. Mail, with a check payable to the Director of United States Patent and Trademark Office in the amount of \$120.00 for the missing parts surcharge (\$65) and the one month extension of time fee (\$55). The Response was, however, inadvertently mailed without postage. Applicant's undersigned attorney learned of this error the same day, and, in anticipation that the U.S. Postal Service would return the envelop for insufficient postage, prepared and mailed a "second" Response with postage and authorizing the Commissioner for Patents to charge our Deposit Account No. 10-0223 in the amount of \$120.00 to cover the fees.

Adjustment date: 01/11/2005 EEKURAY1
08/10/2004 MBIZUNES 00000053 100223 10807076
01 FC:2051 65.00 CR

#144586
Adjustment date: 01/17/2005 EEKURAY1
08/10/2004 MBIZUNES 00000053 100223 10807076
02 FC:2251 55.00 CR

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The first copy of the Response was never returned for insufficient postage, and was in fact received and processed by the U.S. Patent and Trademark Office (US PTO). A copy of the returned postcard acknowledging receipt of the response (including receipt of check # 1696 for \$120.00) is enclosed, as well as a copy of applicant's canceled check # 1696.

The second copy of the Response was also received and processed by the US PTO. A copy of the returned postcard acknowledging receipt (including receipt of fees in the amount of \$120.00) is enclosed, as well as a copy of the August 2004 Statement for Deposit Account No. 10-0223 showing charges for the same missing parts surcharge (fee code 2051) of \$65 and one month extension of time (fee code 2251) of \$55.

In view of the fact that applicant's paid and the US PTO accepted and processed the missing parts surcharge and the one month extension of time fee in duplicate, applicant requests that the amount of \$120.00 be refunded to Deposit Account No. 10-0223.

Please direct any questions regarding this Request for Refund to applicant's undersigned attorney at the number provided.

Respectfully submitted,

Dated: December 6, 2004

Susan J. Timian
Susan J. Timian
Reg. No. 34,103

JAECKLE FLEISCHMANN & MUGEL, LLP
190 Linden Oaks
Rochester, New York 14625-2812
Tel: (585) 899-2930
Fax: (585) 899-2931

Certificate of Mailing - 37 CFR 1.8(a)	
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450 on the date below.	
12/6/2004 Date	<u>Susan J. Timian</u> Susan J. Timian Attorney Reg. No.: 34, 103

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DATE: August 5, 2004

DOCKET: 91420.124103

APPLICANT(S): Michael R. Wagner

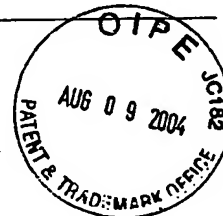
SERIAL NO.: 10/807,076

FILED: March 23, 2004

FOR: GAME CART/TREE STAND KIT

PAPERS ENCLOSED Response to Notice to File Missing Parts of Application and Request for One-Month Extension (3 pgs) with Fees in the Amount of \$120.00 (Check No. 1696), Copy of Notice to File Missing Parts of Application (2 pgs), Declaration for Utility Patent Application (Executed) (2 pgs.) and Power of Attorney (Executed) (1 pg.), Certificate of First Class Mail, Postcard for Acknowledgment.

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JAECKLE FLEISCHMANN & MUGEL, LLP

ATTORNEYS AT LAW
190 LINDEN OAKS
ROCHESTER, NY 14625-2812

DATE:
08-05-04

FLEET BANK OF NEW YORK
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TO
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OF
Director of United States Patent
and Trademark Office

James J. T...
AUTHORIZED SIGNATURE

⑈01696⑈

⑈022000127⑈ 9389798559⑈

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WACHOVIA NA SVC071 0966T
PHILA, PA 08112004 16PK

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AUG 19 2004

RECEIVED IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

DATE: August 5, 2004

APPLICANT(S): Michael R. Wagner

DOCKET: 91420.124103

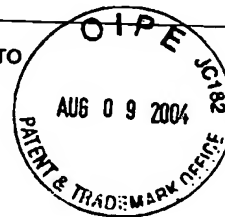
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Patent and
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Deposit Account Statement

Requested Statement Month: August 2004
 Deposit Account Number: 100223
 Name: JAECKLE, FLEISCHMANN & MUGEL
 Attention: DIANNE ARAZY
 Address: 190 LINDEN OAKS
 City: ROCHESTER
 State: NY
 Zip: 14625-2812

DATE	SEQ	POSTING REF TXT	ATTORNEY DOCKET NBR	FEE CODE	AMT	BAL
08/02	3	10895533	89190.030004/DP-310977	8021	\$40.00	\$16,
08/02	43	E-REPLENISHMENT		9203	-\$9,452.00	\$26,
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